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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

JUSKA, CHERYL ANN

ART UNIT

PAPER NUMBER

1771

DATE MAILED: 03/20/2002

23

Please find below and/or attached an Office communication concerning this application or proceeding.



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Commissioner of Patents and Trademarks

Applicant submitted a Request for New Office Action and Reset of Statutory Period for Response on November 2, 2001. In said Request, Applicant asserts that the last Office Action, mailed on October 23, 2001, should have considered the Information Disclosure Statement received on October 12, 2001.

It is noted that said Office Action was prepared by the Examiner on October 12, but not mailed until the 23<sup>rd</sup>. Additionally, it is noted that the Examiner spoke with Applicant's representative, Shrinath Malur, on several occasions about said IDS. Specifically, Malur called the Examiner on August 31, 2001 to ask when the case would be acted upon, since he wanted to submit a supplemental IDS. A voice mail message was left for Malur on August 31, 2001, stating that the case would be worked upon ASAP. However, knowing Malur wanted to submit an IDS, the Office Action was put on hold until the second week of October. At this time, Malur was contacted again and told that the IDS had not yet been received and if it was to be considered in the upcoming Office Action, said IDS should be faxed to the Examiner. No such fax was received, so an action was completed and mailed.

Despite the Examiner's attempts to consider said IDS prior to the mailing of the last Office Action, in response to Applicant's Request, the Examiner has considered said IDS, as evidenced by the attached PTO Form 1449. However, the Examiner feels that no new action need be taken. Therefore, the Office Action of October 23, 2001 stands and the time period for response is NOT reset.

  
Cheryl Juska  
Primary Examiner  
Art Unit: 1771